

<u>APPLICATION NO:</u>	23/00602/FUL	<u>CASE OFFICER:</u>	Reece Black
<u>WARD:</u>	Halewood South	<u>PARISH:</u>	Halewood Town Council
<u>LOCATION:</u>	3 Stokes Close, Halewood, Knowsley		
<u>PROPOSAL:</u>	ERECTION OF SINGLE STOREY SIDE EXTENSION, PART DEMOLITION OF COSERVATORY AND CONSTRUCTION OF SINGLE STOREY REAR EXTENSION		

Site Description

The application site is located at 3 Stokes Close, Halewood and is located in an area that is allocated as a Primarily Residential Area in the development plan. The application property is an end-terraced dwelling. It is multi brick built on the front, side and rear elevations, along with white UPVC on the windows and doors and brown, interlocking roof tiles. The application property benefits from a detached garage to the side and beyond the rear elevation of the property, as well as a conservatory to the rear elevation the property.

To the North/North-East of the application site is a row of dwellinghouses, which face the gable wall of the application property from their rear elevations.

Proposal

The application seeks permission for the amendment to increase the footprint of a previously approved planning application: 23/00026/FUL – For the erection of a single storey rear and side extension.

The application seeks permission for the erection of a single storey rear and a single storey side extension. These two proposed extensions would not be linked to one another but adjoined to the main dwellinghouse. The proposed development would involve the part demolition of the existing conservatory to the rear of the application site to make way for the proposed rear extension – this would see the removal of the glazed roof and side windows above the existing wall. There would also be a flat roof linked between the existing garage and the proposed side extension.

The proposed rear extension would occupy the same footprint of the existing conservatory. This is 4.23m from the original rear elevation and would have a width of 4.06m. The proposed rear extension would be served by a dual pitched roof. The eaves of the roof would have a height of 2.45m and the highest part of the roof would have a height of 3.26m. It would also feature patio doors and 4 skylights.

The proposed side extension would project out 2.47m and have a length of 3.14m, it would then dog-leg in and this section would measure at a width of 1.83m and a length of 1.27m. This section is an additional projection from the previously approved application of 23/00026/FUL. The side extension would be served by a dual pitched roof. The eaves of the roof would

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measure at a height of 2.71m and the highest part of the roof would measure 3.43m. The side extension would be set back from the front elevation of the dwelling by 5.25m. It would also feature an access door and a small window on the front elevation of the extension.

The salient amendment between 23/00026/FUL and this application is the additional length and rear elevation of the proposed side extension, it is approximately 1m longer than the previously approved application. In addition, additions include the flat roof between the existing garage and proposed side extension.

Consultations

Halewood Town Council - No Comments Received.

Representations

This application has been publicised by letters sent to 7 neighbours. No representations have been received.

Planning History

APP. NO: 05/00305/FUL
PROPOSAL: ERECTION OF SINGLE STOREY REAR EXTENSION
DECISION: GRANTED
DECISION DATE: 12 May 2005

APP. NO: 23/00026/FUL
PROPOSAL: ERECTION OF SINGLE STOREY REAR AND SIDE EXTENSION
DECISION: GRANTED
DECISION DATE: 30 March 2023

Relevant Policy

Paragraph 11 of the National Planning Policy Framework (NPPF) states that planning decisions should apply a presumption in favour of sustainable development. This means approving development proposals that accord with an up-to-date development plan without delay; or where the development plan is absent, silent or out of date planning permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

Paragraph 12 of the NPPF clarifies that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan, permission should not normally be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

The development plan in Knowsley comprises the Saved Policies of the Replacement Unitary Development Plan, the Core Strategy Local Plan and the Joint Waste Local Plan. The following

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policies are relevant to the determination of this application.

**KNOWSLEY LOCAL PLAN: CORE STRATEGY
SAVED POLICIES - KNOWSLEY REPLACEMENT UNITARY DEVELOPMENT PLAN
(ADOPTED JUNE 2006)**

CS2 - Development Principles
CS19 - Design Quality and Accessibility in New Development
H5 - Development within Primarily Residential Areas
H8 - Extensions and Alterations to Residential Properties

In addition, the Householder Development SPD (2016) is a material consideration for the purposes of this planning application and provides additional guidance in relation to householder development within Knowsley Borough.

Article 35 Statement

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Assessment

The Householder Development SPD states that single storey side extensions should be designed so that they preserve the street scene, protect light and privacy of neighbours and ensure that they provide sufficient parking spaces.

The Householder Development SPD states that rear extensions should be designed to avoid causing overshadowing, loss of outlook or loss of privacy to the neighbours, or appear unduly dominant to neighbours.

Design

The existing dwelling is brick facing with white UPVC windows and tiled roofing. The proposed development would also be brick facing and include materials to match the existing and keeping with those found at the application property.

Both proposed developments would be served by pitched roofs that are acceptable in design principles and would respond appropriately to the original dwelling. The design is considered as being in accord with the Householder Development SPD and Saved Policy H8.

Amenity

The Householder Development SPD states that extensions should not cause overshadowing, loss of outlook or loss of privacy to neighbours. It also states that a single storey rear extension located on or immediately adjacent to the party boundary with a neighbouring dwelling will normally be acceptable if it does not project more than 4m from the rear elevation of the existing dwelling. It stipulates that a single storey rear extension will only be permitted if it does not breach the 45-degree rule.

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The proposal protrudes beyond the 4m limit outlined in the Householder Development SPD. However, there would be no change from the existing footprint of the conservatory to rear extension, which would not be considered to cause any adverse harm to the amenities of adjacent neighbours. In addition, the existing rear conservatory does not breach the 45 degree-rule (given the neighbouring dwelling at 4 Stokes Close already has an existing conservatory) and would be considered acceptable.

The proposed development would not be considered as causing a cramped appearance at the application site due to ample private garden space at the rear of the application property. The proposal is the same footprint as the existing conservatory and therefore, would not present a significant material change. In addition, the proposed development would be sited in a place that would be considered to be appropriately screened by suitable boundary fencing and vegetation.

The set-back would be sufficient for the proposed side extension and the screening offered would mean that the proposals would not cause any adverse harm to the character of the street scene.

The proposed development is in accord with the Householder Development SPD and would not have a detrimental impact on the amenities of the local area.

4 Stokes Close

No.4 is the adjacent terraced house in the row. The original front and rear elevations of no.4 sit in line with the application site. No.4 benefits from a rear conservatory, which has a projection of approximately 3.5m.

The proposed development does not surpass the 45-degree threshold when applied from no.4 and therefore, it is considered that the proposed rear extension would not cause any detrimental impacts to the amenities of the occupants of no.4. The proposed rear extension would also see no change in terms of footprint there would be no further enlargement of the form and footprint of the existing rear conservatory.

There is sufficient party boundary fencing between the rear garden of no.4 and the application site in the form of 1.8m timber fencing.

Therefore, the proposed development would be considered to be in accord with the Householder Development SPD and would not result in a detrimental impact on the amenities or privacy of the occupants of no.4.

Local nearby residences

To the East of the application site is a row of dwellinghouses, which face the side elevation of the application property from their rear elevations. These dwellings are situated with an approximate interface distance of 17m.

The proposed development would not be considered as having a significant impact on the amenities or privacy of these dwellings. The proposed extensions would be subordinate and appropriate additions to the dwelling.

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The boundary fences and the existing detached garage sited at the application site would screen the majority of the proposed development.

It is therefore considered that the proposed development would be in accord with the Householder Development SPD and would not have a detrimental impact on the amenities of the local area or to the privacy of the occupants of these dwellings.

Highways

The property currently has the space for up to 3 off-street parking spaces, in the form of the detached garage behind the original rear elevation of the dwelling and also in the form of the hardstanding on the side and front of the dwelling.

The proposed development would see the removal of a parking space as vehicular access to the garage would be removed. However, the Householder Development SPD states that for dwellings with 2-3 bedrooms, 2 off-street spaces are required and as the proposed development would not see the increase in the number of bedrooms, 2 off-street parking spaces would be acceptable on this occasion.

As such, the proposed development would not result in adverse impacts to the public highway and would therefore be acceptable.

Conclusion

The proposal would be acceptable in terms of design, residential amenity and highways. The proposal also complies with the relevant Core Strategy, Replacement UDP policies and guidance in the NPPF and is therefore recommended for approval subject to conditions.

Recommendation

That Planning Permission be granted subject to the following condition(s):-

- 1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: In order to comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2) The development hereby permitted shall be carried out in accordance with the approved plans and documents listed in Schedule 1.

Reason: For the avoidance of doubt.

- 3) The materials to be used on the external surfaces of the extension hereby permitted shall match those of the existing building in type, size, colour and texture.

Reason: In the interests of visual amenity and to comply with Saved Policy H8 of the Knowsley Replacement Unitary Development Plan, adopted in June 2006, Policy CS19

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of the Knowsley Local Plan Core Strategy, adopted January 2016, and the National
Planning Policy Framework.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
28/04/2023	#00796142-B6377E	-	LOCATION PLAN
28/04/2023	SC :100:02	-	EXISTING AND PROPOSED ELEVATIONS
28/04/2023	SC 100:01	-	EXISTING AND PROPOSED, FLOOR, ROOF AND SITE PLANS

Signed Case Officer¹:

Reece Black

**Signed Authorising
Officer²:**

Mark Quinn

Date:

26/06/2023

¹ I confirm that I do not have a personal relationship with the applicant, agent or other interested parties; I also confirm that I do not have a financial interest in the site or the development proposed

² I confirm that I do not have a personal relationship with the applicant, agent or other interested parties; I also confirm that I do not have a financial interest in the site or the development proposed

Informatives

- 1 The proposed development lies within an area that has been defined by the Coal Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such features are seldom readily visible, they can often be present and problems can occur, particularly as a result of new development taking place.

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design which takes into account all the relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at:
www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes.

Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

Informative Note valid from 1st January 2023 until 31st December 2024

Appendix 1 – Site Photographs



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